

REMARKS

With respect to the restriction requirement, Applicant selects Group I (drawn to the method of use) without traverse.

With respect to the requirement for an election of species, Applicant selects clomiphene as the SERM. The election of species is made with traverse. The Office Action does not indicate the basis on which the species are allegedly stated to be patentably distinct and it is respectfully submitted that such a barren record effectively prevents the Applicant from responding to the (unstated) considerations of the Examiner. It is respectfully submitted that all ultimate species should be examined in the present case.

The early further examination and allowance of this application is respectfully solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on February 8, 2001:

Respectfully submitted,

Edward A. Meilman

Name of applicant, assignee or  
Registered Representative

Edward A. Meilman  
Signature

February 8, 2001

Date of Signature

Edward A. Meilman  
Edward A. Meilman  
Registration No.: 24,735  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700

EAM:mgs